

DEC 14 2006

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Certificate

JAN 11 2007

of Correction

Linda R. Judge
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T 415.836.2586**FAX TRANSMISSION COVER SHEET**

Date: December 14, 2006

<u>To</u>	<u>Telephone</u>	<u>Fax Number</u>
Attn: Certificate of Corrections Branch United States Patent and Trademark Office		571/273.8300
<hr/>		
From: Linda R. Judge 415/836.2586	Client-Matter Number: 306229-190	
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Patent No.:	7,011,976	
<hr/>		
Re: Issued	March 14, 2006	
<hr/>		
Application No.:	09/509,591	
<hr/>		
Filing Date:	June 2, 2000	
<hr/>		
Entitled:	ADENOVIRUS VECTORS SPECIFIC FOR CELLS EXPRESSING ALPHA-FETOPROTEIN AND METHODS OF USE THEREOF	
<hr/>		
Patentee:	Lee, <i>et al.</i>	
<hr/>		
Attorney Docket No.:	3802-147-27-NATL (306229-190)	

Pages: -6- (including this form) Originals: will not follow

If there is a problem with this transmission, please call DLA Piper Office Services at 415.836.2500, ext. 6104

Message:

Please find the following papers included in this filing:

1. Transmittal;
2. Request for Certificate of Correction;
3. Certificate of Correction; and
4. Decision on Petition Mailed Nov 20 2006 (*copy*).

Thank you.

CONFIDENTIALITY NOTICE

This communication is ONLY for the person named above. Unless otherwise indicated, it contains information that is confidential, privileged or exempt from disclosure under applicable law. If you are not the person named above, or responsible for delivering it to that person, be aware that disclosure, copying, distribution or use of this communication is strictly PROHIBITED. If you have received it in error, or are uncertain as to its proper handling, please immediately notify us by collect telephone and mail the original to us at the above address. Thank you.

(Form Rev. 8/02/04)

SANF1361189.1

TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Patent No.	7,011,976	RECEIVED CENTRAL FAX CENTER DEC 14 2006
Issue Date	March 14, 2006	
Application No.	09/509,591	
Filing Date	June 2, 2000	
Patentee	Little, et al.	
Total Number of Pages in this Submission: 5	Attorney Docket No.	3802-147-27 NATL (306229-190)

ENCLOSURES (check all that apply)

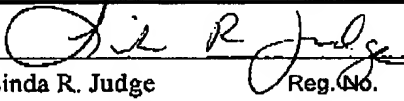
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement (IDS) <input type="checkbox"/> Substitute PTO Form 1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts Notice/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Request for Certificate of Correction <input checked="" type="checkbox"/> Certificate of Correction <input checked="" type="checkbox"/> Decision on Petition Mailed Nov 20 2006 (copy) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Combined Revocation and Power of Attorney and 37 C.F.R. §3.73(b) and 3.71 Statements and Request for Change of Attorney Docket Number <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After-Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosure(s): <input type="checkbox"/> Return Receipt Postcard
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Remarks:

Please address all correspondence to Customer Number 29585

The Director is hereby authorized to charge any fees that may be required in connection with the papers submitted herewith that have been inadvertently omitted, specifically including any extension fees that may be required under 37 CFR § 1.136(a), to Deposit Account No. 07-1896 (Charge No. 3802-147-27- NATL (306229-190))

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Signature		Date	12/14/06
Name	Linda R. Judge Reg. No. 42,702	Telephone	415/836.2586
Address	153 Townsend Street, 8th Floor, San Francisco, CA 94107	Facsimile	415/836.2501

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being filed with the United States Patent and Trademark Office by facsimile transmission on the date indicated below to Facsimile No. 571/273.8300.

Date: 12/14/06

Carissa Hemphill
Print Name

SANF1361183.1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 14 2006

Patentee(s): Little, *et al.*

Patent No.: 7,011,976

Issued: March 14, 2006

For: ADENOVIRUS VECTORS SPECIFIC
FOR CELLS EXPRESSING ALPHA-
FETOPROTEIN AND METHODS OF
USE THEREOF

Application No.: 09/509,591

Filed: June 2, 2000

REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 CFR § 1.323

Attn: Certificate of Corrections Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following is a request for a Certificate of Correction in Serial Number 09/509,591, now patent number 7,011,976.

A Certificate of Correction under 35 U.S.C. § 255 is respectfully requested in the above-identified patent. The patent was issued in the name of Calydon, Inc. due to incorrect assignee data inadvertently provided on the Issue Fee Transmittal.

A Petition Under 37 CFR 1.183 filed by facsimile transmission on September 1, 2006, which was treated as a request under 37 CFR 3.81(b), was dismissed. However, the Decision on Petition mailed November 20, 2006 (*attached*) states that petitioner is entitled to received a Certificate of Correction in the name of Cell Genesys, Inc., Foster City, CA. Petitioner requests such Certificate of Correction and submit herewith a Certificate of Correction (form PTO/SB/44).

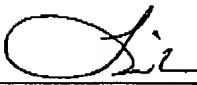
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Please charge the Certificate of Correction fee, currently \$100.00, to DLA Piper US LLP Deposit Account Number 07-1896 (Order No. 3802-147-27 NATL (306229-190). The Director is authorized to charge any additional fees that may required, or credit any overpayment, to this same deposit account.

Date: 12/14/06

DLA PIPER US LLP
Customer No. 29585
Telephone: 415/836.2586
Facsimile: 415/836.2501

Respectfully submitted,



Linda R. Judge
Reg. No. 42,702

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO.: 7,011,976

DATED: March 14, 2006

APPLICATION NO.: 09/509,591

FILED: June 2, 2000

INVENTOR(S): Little, *et al.*

It is certified that error or errors appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On page 1, (73) Assignee:, please remove "Calydon, Inc., Sunnyvale, CA (US)"

and insert therefor

"Cell Genesys, Inc., Foster City, CA (US)"

MAILING ADDRESS OF SENDER:

DLA PIPER US LLP
153 Townsend Street, Suite 800
San Francisco, CA 94107

Patent No. 7,011,976

No. of Additional Copies: _____

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UNITED STATES PATENT AND TRADEMARK OFFICE

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DLA PIPER RUDNICK GRAY CARY US, LLP
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SAN FRANCISCO, CA 94107-1907

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In re Patent No. 7,011,976
Issue Date : March 14, 2006
Application No. 09/509,591
Filed: June 2, 2000
Patentee(s): Andrew S. Little, et. al.

OFFICE OF PETITIONS

DECISION ON PETITION

This is a decision on the renewed petition under 37 CFR 1.183 filed by facsimile transmission on September 1, 2006, which is being treated as a request under 37 CFR 3.81(b)¹ to correct the assignee's name and data on the front page of the above-identified patent by way of a certificate of correction.

The petition is again **DISMISSED**.

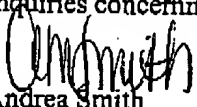
Petitioner requests issuance of a Certificate of Correction in the name of "Cell Genesys, Inc., South San Francisco, CA," instead of "Cell Genesys, Inc., Foster City, CA," because the assignee has since moved. 37 CFR 3.81(a) permits the patent to issue to the assignee, provided that, at the time the issue fee is paid, the name of an assignee is provided. 37 CFR 3.81(b) permits the patent to issue in the name of an assignee if the assignment was submitted after payment of the issue fee, but recorded *prior to issuance of a patent*.

Since there is no assignment, recorded prior to issuance of this patent, that shows the assignee's data as "South San Francisco, CA", a certificate of correction is not proper. However, petitioner is entitled to receive a Certificate of Correction in the name of "Cell Genesys, Inc., Foster City, CA," as recorded prior to issuance, at reel 012243 and frame number 0012.

Should petitioner desire to receive a Certificate of Correction in the name of the assignee and data as "Cell Genesys, Inc., Foster City, CA," a renewed petition and corrected Certificate of Correction form PTO/SB/44 must be submitted.

This application file is being referred to Files Repository.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.


Andrea Smith
Petitions Examiner
Office of Petitions

¹ See Official Gazette of June 22, 2004

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